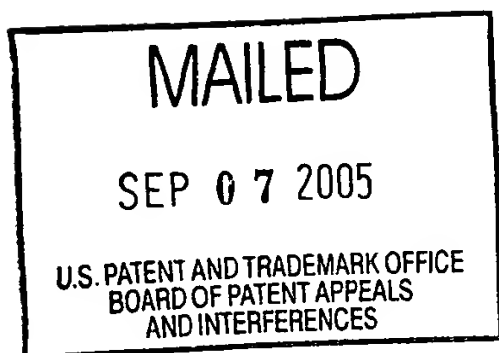


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte GAVIN A. GROUNDS

Appeal No. 2005-1615
Application 09/800,535

ON BRIEF

Before HAIRSTON, OWENS, and NAPPI, *Administrative Patent Judges*.
OWENS, *Administrative Patent Judge*.

DECISION ON APPEAL

This appeal is from a rejection of claims 1, 2, 4-6, 8-46, 48, 50 and 52-59, which are all of the pending claims.

THE INVENTION

The appellant claims an apparatus, method and encoded logic for processing financial transactions. Claim 19, which claims the method, is illustrative:

19. A method for processing financial transactions comprising:

receiving a first message indicating the making of a financial transaction, the first message including customer information and transaction information;

determining the validity of the customer information;

generating a second message indicating non-authorization of the financial transaction if the customer information is invalid;

determining in an automated manner whether the financial transaction involves a micro-payment if the customer information is valid;

if the financial transaction involves a micro-payment:

storing at least part of the transaction information; and

generating a third message indicating authorization of the financial transaction; and

if the financial transaction does not involve a micro-payment, generating an authorization request.

THE REFERENCES

Weber	5,889,863	Mar. 30, 1999
Ronen et al. (Ronen)	5,905,736	May 18, 1999
Elgamal	6,138,107	Oct. 24, 2000

THE REJECTIONS

The claims stand rejected under 35 U.S.C. § 103 as follows:
claims 1, 2, 4-6, 8-13, 15-27, 29-41, 43-46, 48, 50, 52, 53
and 58 over Ronen in view of Weber, and claims 14, 28, 42, 54-57
and 59 over Ronen in view of Weber and Elgamal.

OPINION

We affirm the aforementioned rejections.

The appellant indicates that the claims stand or fall together (brief page 4). Although an additional reference is applied to some of the dependent claims, the appellant does not separately argue the patentability of those claims. We therefore limit our discussion to one claim, i.e., claim 19. See *In re Ochiai*, 71 F.3d 1565, 1566 n.2, 37 USPQ2d 1127, 1129 n.2 (Fed. Cir. 1995); 37 CFR § 1.192(c)(7)(1997).

Ronen discloses a method for performing centralized billing for transactions conducted over the Internet between a user and an Internet Service Provider (ISP) (abstract). That is a method for processing financial transactions.

The ISP retrieves the user's Internet Protocol (IP) address which is assigned by an Internet Access Provider (IAP) to the user for a session (col. 2, lines 9-10; col. 4, lines 13-14), "and requests confirmation that an entry for a session has been created for that IP address on the database [110] of the transaction server [109] and that a billing mechanism has been established on the billing server [111] for the user

corresponding to that IP address" (col. 7, lines 16-21). That request is a first message that indicates the making of a financial transaction and includes customer information (the IP address) and customer information (the billing mechanism).

If, at the transaction server, a database entry for that IP address is not confirmed, the ISP receives a non-confirmation signal (col. 7, lines 21-29). Thus, Ronen determines the validity of the customer information and generates a second message (the non-confirmation signal) if the customer information is invalid.

The billing server has stored on a database (112), for each user who has arranged for centralized billing functionality, a record that includes the user's choices for how charges for transactions are to be billed (col. 4, lines 20-27 and 43-46). "Charges for transactions of a certain type for less than a predetermined amount may be designated for billing to an identified telephone account associated with the user" (col. 4, lines 33-36). The exemplified charges for less than a predetermined amount are charges for information services such as providing a stock report for \$0.50 (tables 1 and 2). Hence, if

the customer information is valid, Ronen determines in an automated matter whether the financial transaction involves a micro-payment.

Ronen's disclosure that when a session is complete, the transaction server sends to the billing server all of the charges and associated transaction information for the user's account (col. 6, lines 15-20) indicates that at least part of the transaction information is stored. If the user's IP address is on the transaction database and a billing mechanism is in place, the ISP is signaled to authorize the transaction (col. 5, lines 61-66). The signal is a third message indicating authorization of the financial transaction. The appellant's claim 19 does not require that the transaction information is stored and the third message is generated only if the financial transaction involves a micro-payment. The claim, therefore, encompasses Ronen's storing of transaction information and indicating authorization of the transaction regardless of whether the financial transaction involves a micro-payment.

Ronen indicates that if the financial transaction does not involve a micro-payment, the charges for the transaction are

billed to a credit or debit card (col. 4, lines 36-38; tables 1 and 2). Ronen does not address whether billing to a credit or debit card involves an authorization request. The appellant, however, acknowledges that, as indicated by Weber (col. 15, lines 52-56), such authorization requests were conventional (brief, page 12).

The appellant argues that Ronen allows a user to select, based upon the amount of the transaction, which account will be billed for the transaction, but does not use a different authorization mechanism for micro-payments than for larger payments (brief, page 11; reply brief, pages 3-4). The appellant's claim 19 requires storing transaction information and generating an authorization message if the financial transaction involves a micro-payment, but does not exclude those steps for larger payments. As for the step of generating an authorization request if the financial transaction does not involve a micro-payment, as pointed out above, the appellant has acknowledged that generating an authorization request for credit and debit card payments, which Ronen exemplifies for payments larger than micro-payments, was conventional.

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The appellant argues that the combination of Ronen and Weber is improper and that the examiner used improper hindsight reconstruction (brief, pages 13-15; reply brief, pages 5-6), but the appellant provides no reasoning in support of those arguments.

For the above reasons we conclude that the invention claimed in the appellant's claim 19 would have been obvious to one of ordinary skill in the art over the applied prior art. Accordingly, we affirm the rejection of that claim and claims 1, 2, 4-6, 8-18, 20-46, 48, 50 and 52-59 that stand or fall therewith.

DECISION


The rejections under 35 U.S.C. § 103 of claims 1, 2, 4-6, 8-13, 15-27, 29-41, 43-46, 48, 50, 52, 53 and 58 over Ronen in view of Weber, and claims 14, 28, 42, 54-57 and 59 over Ronen in view of Weber and Elgamal, are affirmed.

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No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

AFFIRMED


KENNETH W. HAIRSTON
Administrative Patent Judge


TERRY J. OWENS
Administrative Patent Judge


ROBERT E. NAPPI
Administrative Patent Judge

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